

§ 250.1400

Regional Supervisor under 30 CFR part 290.

[62 FR 5331, Feb. 5, 1997. Redesignated and amended at 63 FR 29479, 29487, May 29, 1998]

Subpart N—Outer Continental Shelf Civil Penalties

SOURCE: 62 FR 42668, Aug. 8, 1997, unless otherwise noted. Redesignated at 63 FR 29479, May 29, 1998.

30 CFR Ch. II (7–1–11 Edition)

OUTER CONTINENTAL SHELF LANDS ACT CIVIL PENALTIES

§ 250.1400 How does MMS begin the civil penalty process?

This subpart explains MMS's civil penalty procedures whenever a lessee, operator or other person engaged in oil, gas, sulphur or other minerals operations in the OCS has a violation. Whenever MMS determines, on the basis of available evidence, that a violation occurred and a civil penalty review is appropriate, it will prepare a case file. MMS will appoint a Reviewing Officer.

§ 250.1401 Index table.

The following table is an index of the sections in this subpart:

§ 250.1401 TABLE

Definitions	§ 250.1402
What is the maximum civil penalty?	§ 250.1403
Which violations will MMS review for potential civil penalties?	§ 250.1404
When is a case file developed?	§ 250.1405
When will MMS notify me and provide penalty information?	§ 250.1406
How do I respond to the letter of notification?	§ 250.1407
When will I be notified of the Reviewing Officer's decision?	§ 250.1408
What are my appeal rights?	§ 250.1409

[62 FR 42668, Aug. 8, 1997. Redesignated and amended at 63 FR 29479, 29487, May 29, 1998]

§ 250.1402 Definitions.

Terms used in this subpart have the following meaning:

Case file means an MMS document file containing information and the record of evidence related to the alleged violation.

Civil penalty means a fine. It is an MMS regulatory enforcement tool used in addition to Notices of Incidents of Noncompliance and directed suspensions of production or other operations.

Reviewing Officer means an MMS employee assigned to review case files and assess civil penalties.

Violation means failure to comply with the Outer Continental Shelf Lands Act (OCSLA) or any other applicable laws, with any regulations issued under the OCSLA, or with the terms or provisions of leases, licenses, permits, rights-of-way, or other approvals issued under the OCSLA.

Violator means a person responsible for a violation.

[62 FR 42668, Aug. 8, 1997. Redesignated at 63 FR 29479, May 29, 1998, as amended at 71 FR 23864, Apr. 25, 2006]

§ 250.1403 What is the maximum civil penalty?

The maximum civil penalty is \$35,000 per day per violation.

[72 FR 8899, Feb. 28, 2007]

EFFECTIVE DATE NOTE: At 76 FR 38296, June 30, 2011, § 250.1403 was revised, effective Aug. 1, 2011. For the convenience of the user, the revised text is set forth as follows:

§ 250.1403 What is the maximum civil penalty?

The maximum civil penalty is \$40,000 per day per violation.